

1 HONORABLE PHILIP H BRANDT
2 HEARING DATE: April 7, 2010
3 TIME: 9:30 am
4 RESPONSE DATE: March 31, 2010
5 CHAPTER 7
6 TACOMA, WA

7
8 **IN THE UNITED STATES BANKRUPTCY COURT FOR THE**
9 **WESTERN DISTRICT COURT OF WASHINGTON**

10 **Re**)
11 **PATRICIA NELSON**) In Chapter 7 Proceeding
12) No. 09-48592
13)
14 **Debtor(s)**) Notice of Hearing
15) and Motion to Convert from a
16) Chapter 7 to Chapter 13
17)
18)
19)

20 TO: Clerk of Court, U.S. Trustee; Debtor(s); Chapter 7 Trustee, all creditors

21 Please take note that the issue of law in this case will be heard on the date below and the Clerk is
22 requested to note this issue on the motion docket for that day.

23 HEARING DATE: April 7, 2010 TIME: 9:30 am

24 PLACE: 1717 Pacific Ave JUDGE: Philip H Brandt
25 Courtroom H
Tacoma, WA 98402

26 IF YOU OPPOSE the Motion, you must file your written response with the Court Clerk,
27 serve two copies on the Judge's chambers, serve one copy on the undersigned attorney, and
28 serve one copy of your response on each of the persons set forth on the Certificate of Service
29 attached hereto, NO LATER THAN THE RESPONSE DATE, which is **March 31, 2010**

30 **IF NO RESPONSE IS TIMELY FILED AND SERVED, THE COURT MAY, IN ITS**
31 **DISCRETION, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER**
32 **NOTICE, AND STRIKE THE HEARING.**

33 Dated: February 21, 2010

34 /s/ Ellen Ann Brown

35 _____
36 Susan H. Seelye, WSB 28825
37 Ellen A. Brown, WSB 27992
38 Attorney(s) for Debtor(s)

39 **BROWN and SEELYE PLLC**
40 744 South Fawcett Ave.
41 Tacoma, WA 98402
42 253-573-1958

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2 **MOTION TO CONVERT CASE FROM CHAPTER 7 TO CHAPTER 13**

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4 COMES NOW the Debtor(s), by and through their attorneys of record, the law offices
5 of BROWN AND SEELYE PLLC, and move the Court for an order allowing Debtor(s) to convert their case
6 to a case under Chapter 13. Pursuant to 11 USC Section 706, the above-named Debtor(s) request that
7 this court enter an Order converting this case under Chapter 7 to a case under Chapter 13 of the
Bankruptcy Code as follows:

8 1. This case was filed on 11/17/09. The Trustee has not entered a No Asset Report in this case and
9 the case is not yet closed.

10 2. The Debtor(s) wishes to convert this case to a Chapter 13 in order to repay her taxes to the IRS
11 through the Plan and exempt all of her assets.

12 3. This case has not been previously converted under 11 USC 1112, 1208 or 1307.

13

14 Wherefore, the Debtors pray for an Order converting this case under Chapter 7 to a case under Chapter
15 13 of the Bankruptcy Code.

16

17 RESPECTFULLY SUBMITTED February 21, 2010

18 BROWN AND SEELYE PLLC
19 Attorneys for Debtors

20 /s/ Ellen Ann Brown

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SUSAN H. SEELYE, WSBA 28825
ELLEN ANN BROWN WSBA 27992

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25 **BROWN and SEELYE PLLC**
744 South Fawcett Ave.
Tacoma, WA 98402
253-573-1958

CERTIFICATE OF SERVICE

THE UNDERSIGNED hereby certifies:

On the date set forth below, I caused to be delivered by the method indicated below, a true and correct copy of **NOTICE OF HEARING AND MOTION TO CONVERT CASE TO A CASE UNDER CHAPTER 13 AND PROPOSED ORDER** properly addressed to the debtor(s) and each of the following:

ELECTRONIC NOTICED

Chapter 7 Trustee Brian Budsberg

Office of the U.S. Trustee
1200 Sixth Ave. #600
Seattle, WA 98101

FIRST CLASS MAIL TO:

with Notice of Hearing to all parties who are listed on the ECF mailing matrix

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Signed at Tacoma, Washington on February 21, 2010

/s/ Ellen Ann Brown

Ellen Ann Brown
Attorney at Law

BROWN and SEELYE PLLC
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Tacoma, WA 98402
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